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UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DURK BANKS, et al.,  
Defendants.

No. CR 2:24-621(B)-MWF

GOVERNMENT'S EX PARTE APPLICATION  
FOR ORDER SEALING DOCUMENTS;  
MEMORANDUM OF POINTS AND  
AUTHORITIES; DECLARATION OF DANIEL  
H. WEINER

Plaintiff United States of America hereby applies ex parte for an order directing that the government's Exhibits A-B attached to the government's Notice of Lodging Under Seal Exhibits and Supplemental Memorandum in Opposition to Defendant Banks' Motion in Limine to Exclude Rule 404(b) Evidence in the above-entitled case be kept under seal until further order of the Court.

This ex parte application is based upon the attached memorandum of points and authorities and Declaration of Daniel H. Weiner.

Dated: January 2, 2026

Respectfully submitted,

BILAL A. ESSAYLI  
First Assistant United States  
Attorney

ALEXANDER B. SCHWAB  
Assistant United States Attorney  
Acting Chief, Criminal Division

/s/  
IAN V. YANNIELLO  
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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

1                   **MEMORANDUM OF POINTS AND AUTHORITIES**

2       Plaintiff United States of America requests that this Court seal  
3 the government's Exhibits A-B attached to the government's Notice of  
4 Lodging Under Seal Exhibits and Supplemental Memorandum in Opposition  
5 to Defendant Banks' Motion in Limine to Exclude Rule 404(b) Evidence.

6       The Court has inherent supervisory authority to seal documents  
7 in appropriate circumstances. See Nixon v. Warner Communications,  
8 Inc., 435 U.S. 589, 598 (1978) ("Every court has supervisory power  
9 over its own records and files . . . .").

10      Here, for the reasons described in the attached declaration,  
11 sealing of these documents is necessary to protect the identity of  
12 unindicted co-conspirators and/or witnesses who participated in the  
13 government's investigation, who may testify at trial, and/or whose  
14 safety or whose family's safety may be endangered by disclosure of  
15 identifying information.

16      The government accordingly requests that the documents be  
17 maintained under seal until further order of the Court.

18      Dated: January 2, 2026

Respectfully submitted,

19                   BILAL A. ESSAYLI  
20                   First Assistant United States  
21                   Attorney

22                   ALEXANDER B. SCHWAB  
23                   Assistant United States Attorney  
24                   Acting Chief, Criminal Division

25                   \_\_\_\_\_  
26                   /s/  
27                   IAN V. YANNIELLO  
28                   GREGORY W. STAPLES  
                 DANIEL H. WEINER  
                 Assistant United States Attorneys

Atorneys for Plaintiff  
UNITED STATES OF AMERICA

**DECLARATION OF DANIEL H. WEINER**

I, Daniel H. Weiner, declare as follows:

1. I am an Assistant United States Attorney for the Central District of California and I am one the attorneys assigned to the prosecution of United States v. Durk Banks, et al., No. CR 24-621(B)-MWF. I make this declaration in support of the government's ex parte application for an order sealing the government's Exhibits A-B attached to the government's Notice of Lodging Under Seal Exhibits and Supplemental Memorandum in Opposition to Defendant Banks' Motion in Limine to Exclude Rule 404(b) Evidence.

2. The government requests leave to file these documents under seal. The above-described documents discuss and/or contain identifying information of unindicted co-conspirators and/or witnesses who participated in the government's investigation, who may testify at trial, and/or whose safety or whose family's safety may be endangered by disclosure of identifying information. Sealing of the documents is therefore desirable because the government believes that public disclosure of such information may endanger the witnesses and/or their family's safety, and could cause others to attempt to intimidate the witnesses and/or their family, or otherwise dissuade the witnesses from cooperating with the government.

3. Accordingly, the government requests that the documents be kept under seal until further order of the Court.

4. On December 31, 2025, the government informed defense counsel that it would be seeking to file these documents under seal and solicited any objection. As of the date of this filing, the government has not received any objection from defense counsel.

1 I declare under penalty of perjury under the laws of the United  
2 States of America that the foregoing is true and correct to the best  
3 of my knowledge and belief and that this declaration was executed on  
4 January 2, 2026, at Los Angeles, California.

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7 /s/ Daniel H. Weiner  
8 DANIEL H. WEINER  
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